

REMARKS

Claims 1-5 are pending in the application. No new matter has been introduced by this amendment.

1. Claim Rejections under 35 U.S.C. § 112

The claims have been amended to overcome the rejection under Section 112 and more clearly define the surplus volume of optical material.

2. Terminal Disclaimer

As a preliminary matter, applicant submits that the amendments to claim 1 obviate the need for a terminal disclaimer under 37 C.F.R. § 1.321(b).

3. Claim Rejections under 35 U.S.C. § 102

Claims 1-5 stand rejected as being anticipated by Otsuki (U.S. 2002-0184919). Applicant respectfully traverses this rejection based on the following remarks. Otsuki does not teach or disclose the feature of the deformable portion configured to receive the surplus volume of the optical material so that the optical element contains a volume of material corresponding to the initial volume of the optical material. This claimed element is completely missing in the cited reference.

Otsuki does disclose a meal ring 10 having a thin wall 11, and mentions in paragraph [0047] that expansion may occur. However, any expansion of the ring that may occur is not configured to receive or accommodate the surplus of optical material. Any extra optical material in the mold expands to fill the convex surface 31 of the die so as to form the faces of the lens, rather than expanding the ring. As clearly

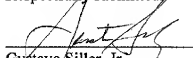
shown in Fig. 1A, the small gap between the metal ring 10 and the die body 21 is does not and cannot accommodate a surplus of optical material, as used in applicant's claimed method.

Further, the walls of the ring in Otsuki do not expand so as to integrate the optical element into the holder. This element is also missing in Otsuki. Because at least one significant element of applicant's claimed invention is missing from the device in Otsuki, Otsuki cannot anticipate applicant's claimed invention. Accordingly, applicant asserts that claim 1 is allowable over Otsuki, and that claims depending from claim 1, respectively are allowable as depending from an allowable base claim.

4. Conclusion

Based on the above remarks, the applicant respectfully submits that the claims are in condition for allowance. The examiner is kindly invited to contact the undersigned attorney to expedite allowance.

Respectfully submitted,



Gustavo Siller, Jr.
Registration No. 32,305
Attorney for Applicant

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, IL 60610
(312) 321-4200

#342461